

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20cv62-MOC**

<p>ACCELERATION ACADEMIES, LLC, Claimant/Plaintiff, v. CHARLESTON ACCELERATION ACADEMY, INC., Respondent/Defendant/Counterclaimant.</p>

This matter is before the Court on a Motion to Stay Execution of Judgment Pending Appeal, filed by Defendant Charleston Acceleration Academy, Inc. (Doc. 28). Defendant has filed the motion under Rule 62 of the Federal Rules of Civil Procedure and under Rule 8 of the Federal Rules of Appellate Procedure. Plaintiff Acceleration Academies, LLC has filed a response in opposition to the motion, and Defendant has filed a Reply. (Doc. Nos. 29, 30).

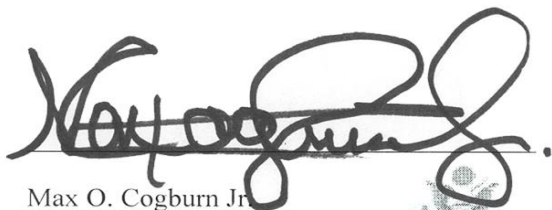
The Court has carefully considered the arguments in the parties' memoranda. Defendant asks this Court to stay execution of the judgment against it (for \$859,142.42 owed to Plaintiff for breach of contract) pending appeal without first requiring Defendant to post a bond. Plaintiff opposes the motion, arguing that Defendant had not met its burden of showing that a bond should not be required. The Court finds that the interests of both parties will be protected by requiring Defendant to post a partial bond in order for this Court to stay the execution of the judgment against Defendant pending appeal.

IT IS THEREFORE ORDERED that:

- (1) Defendant's Motion to Stay Execution of Judgment Pending Appeal is **GRANTED** to the extent that Defendant shall be required first to post a bond for an amount that is half

of the judgment entered against Defendant. Defendant shall have thirty days in which to obtain the surety or bond and to provide to this Court documentation showing that it has been obtained.

Signed: June 18, 2020



Max O. Cogburn Jr.
United States District Judge